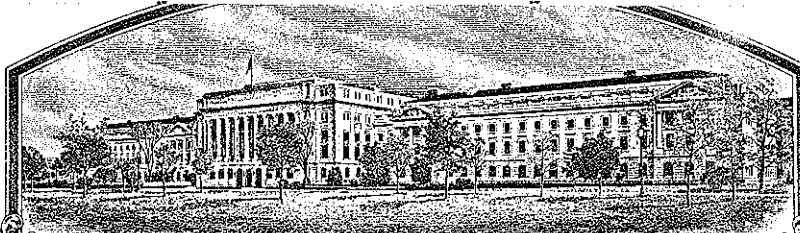


No.

8000112



THE UNITED STATES OF AMERICA

TO ALL TO WHOM THESE PRESENTS SHALL COME:

Asgrow Seed Company

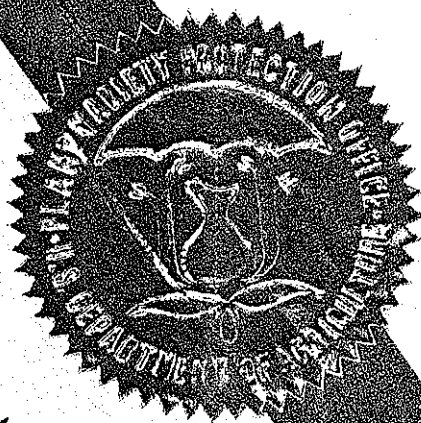
Whereas, THERE HAS BEEN PRESENTED TO THE
Secretary of Agriculture

AN APPLICATION REQUESTING A CERTIFICATE OF PROTECTION FOR AN ALLEGED NOVEL VARIETY OF SEXUALLY REPRODUCED PLANT, THE NAME AND DESCRIPTION OF WHICH ARE CONTAINED IN THE APPLICATION AND EXHIBITS, A COPY OF WHICH IS HEREUNTO ANNEXED AND MADE A PART HEREOF, AND THE VARIOUS REQUIREMENTS OF LAW IN SUCH CASES MADE AND PROVIDED HAVE BEEN COMPLIED WITH, AND THE TITLE THERETO IS, FROM THE RECORDS OF THE PLANT VARIETY PROTECTION OFFICE, IN THE APPLICANT(S) INDICATED IN THE SAID COPY, AND WHEREAS, UPON DUE EXAMINATION MADE, THE SAID APPLICANT(S) IS (ARE) ADJUDGED TO BE ENTITLED TO A CERTIFICATE OF PLANT VARIETY PROTECTION UNDER THE LAW.

NOW, THEREFORE, THIS CERTIFICATE OF PLANT VARIETY PROTECTION IS TO GRANT UNTO THE SAID APPLICANT(S) AND THE SUCCESSORS, HEIRS OR ASSIGNS OF THE SAID APPLICANT(S) FOR THE TERM OF *eighteen* YEARS FROM THE DATE OF THIS GRANT, SUBJECT TO THE PAYMENT OF THE REQUIRED FEES AND PERIODIC REPLENISHMENT OF VIABLE BASIC SEED OF THE VARIETY IN A PUBLIC REPOSITORY AS PROVIDED BY LAW, THE RIGHT TO EXCLUDE OTHERS FROM SELLING THE VARIETY, OR OFFERING IT FOR SALE, OR REPRODUCING IT, IMPORTING IT, OR EXPORTING IT, OR USING IT IN PRODUCING A HYBRID OR DIFFERENT VARIETY THEREFROM, TO THE EXTENT PROVIDED BY THE PLANT VARIETY PROTECTION ACT (U.S.C. 1542, AS AMENDED, 7 U.S.C. 2321 ET SEQ.)

GARDEN PEA

'Caprice'



Attest:

Symond K. Lane
Commissioner
Plant Variety Protection Office
Grain Division
Agricultural Marketing Service

In Testimony Whereof, I have hereunto set
my hand and caused the seal of the Plant
Variety Protection Office to be affixed
at the City of Washington
this 11th day of June in
the year of our Lord one thousand nine
hundred and eighty-one.

John R. Block
Secretary of Agriculture

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
LIVESTOCK, POULTRY, GRAIN & SEED DIVISION

FORM APPROVED
OMB NO. 40-R3822

APPLICATION FOR PLANT VARIETY PROTECTION CERTIFICATE

No certificate for plant variety protection may be issued unless a completed application form has been received (5 U.S.C. 553).

INSTRUCTIONS: See Reverse.

1a. TEMPORARY DESIGNATION OF VARIETY XP-C99		1b. VARIETY NAME Caprice		FOR OFFICIAL USE ONLY PV NUMBER 8000112	
2. KIND NAME Garden Pea		3. GENUS AND SPECIES NAME Pisum sativum		FILING DATE 5/12/80	TIME 3:30 P.M.
4. FAMILY NAME (BOTANICAL) Leguminosae		5. DATE OF DETERMINATION 1978 August		FEE RECEIVED \$ 500.00 \$ 250.00	DATE 5/12/80 5/7/81
6. NAME OF APPLICANT(S) Asgrow Seed Company		7. ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code) 9620-190-1 Kalamazoo, MI 49001		8. TELEPHONE AREA CODE AND NUMBER 616-385-6605	
9. IF THE NAMED APPLICANT IS NOT A PERSON, FORM OF ORGANIZATION: (Corporation, partnership, association, etc.) Corporation			10. IF INCORPORATED, GIVE STATE AND DATE OF INCORPORATION Delaware		11. DATE OF INCORPORATION March 22, 1968
12. NAME AND MAILING ADDRESS OF APPLICANT REPRESENTATIVE(S), IF ANY, TO SERVE IN THIS APPLICATION AND RECEIVE ALL PAPERS: John A. Batcha 9620-190-1 Kalamazoo, MI 49001					

13. CHECK BOX BELOW FOR EACH ATTACHMENT SUBMITTED:

- ☒ 13A. Exhibit A, Origin and Breeding History of the Variety (See Section 52 of the Plant Variety Protection Act.)
- ☒ 13B. Exhibit B, Novelty Statement.
- ☒ 13C. Exhibit C, Objective Description of the Variety (Request form from Plant Variety Protection Office.)
- ☐ 13D. Exhibit D, Additional Description of the Variety.

14a. DOES THE APPLICANT(S) SPECIFY THAT SEED OF THIS VARIETY BE SOLD BY VARIETY NAME ONLY AS A CLASS OF CERTIFIED SEED? (See Section 83(a). (If "Yes," answer 14B and 14C below.) ☐ YES ☒ NO

14b. DOES THE APPLICANT(S) SPECIFY THAT THIS VARIETY BE LIMITED AS TO NUMBER OF GENERATIONS?
☐ YES ☐ NO

14c. IF "YES," TO 14B, HOW MANY GENERATIONS OF PRODUCTION BEYOND BREEDER SEED?
☐ FOUNDATION ☐ REGISTERED ☐ CERTIFIED

15a. DID THE APPLICANT(S) FILE FOR PROTECTION OF THIS VARIETY IN OTHER COUNTRIES? ☒ YES ☐ NO (If "Yes," give name of countries and dates.)
Belgium November 27, 1978
France November 30, 1978

15b. HAVE RIGHTS BEEN GRANTED THIS VARIETY IN OTHER COUNTRIES? ☐ YES ☒ NO (If "Yes," give name of countries and dates.)

16. DOES THE APPLICANT(S) AGREE TO THE PUBLICATION OF HIS/HER (THEIR) NAME(S) AND ADDRESS IN THE OFFICIAL JOURNAL? ☒ YES ☐ NO

17. The applicant(s) declare(s) that a viable sample of basic seed of this variety will be furnished with the application and will be replenished upon request in accordance with such regulations as may be applicable.

The undersigned applicant(s) is (are) the owner(s) of this sexually reproduced novel plant variety, and believe(s) that the variety is distinct, uniform, and stable as required in Section 41, and is entitled to protection under the provisions of Section 42 of the Plant Variety Act.

Applicant(s) is (are) informed that false representation herein can jeopardize protection and result in penalties.

March 18, 1980

(DATE)

John A. Batcha

(SIGNATURE OF APPLICANT)

1

(DATE)

(SIGNATURE OF APPLICANT)

3:30 PM

MAY 12 1980

INSTRUCTIONS

GENERAL: Send an original copy of the application and exhibits, at least 2,500 viable seeds, and \$500 fee (\$250 filing fee and \$250 examination fee) to U.S. Dept. of Agriculture, Agricultural Marketing Service, Livestock, Poultry, Grain and Seed Division, Plant Variety Protection Office, National Agricultural Library Building, Beltsville, Maryland 20705. (See section 180.175 of the Regulations and Rules of Practice.) Retain one copy for your files. All items on the face of the form are self-explanatory unless noted below.

ITEM

- 5 Give the date the applicant determined that he had a new variety based on (1) the definition in section 41(a) of the Act and (2) the date a decision was made to increase the seed.
- 13a Give: (1) the genealogy, including public and commercial varieties, lines, or clones used, and the breeding method; (2) the details of subsequent stages of selection and multiplication; (3) the type and frequency of variants during reproduction and multiplication and state how these variants may be identified and (4) evidence of uniformity and stability.
- 13b Give a summary statement of the variety's novelty. Clearly state how this novel variety may be distinguished from all other varieties in the same crop. If the new variety most closely resembles one or a group of related varieties: (1) identify these varieties and state all differences objectively; (2) attach statistical data for characters expressed numerically and demonstrate that these differences are significant; and (3) submit, if helpful, seed and plant specimens or photographs of seed and plant comparisons clearly indicating novelty.
- 13c Fill in the Exhibit C, Objective Description form, for all characteristics for which you have adequate data.
- 13d Describe any additional characteristics that are not described, or whose description cannot be accurately conveyed in Exhibit C. Use comparative varieties as is necessary to reveal more accurately the description of characteristics that are difficult to describe, such as, plant habit, plant color, disease resistance, etc.
- 14a If "YES" is specified (seed of this variety be sold by variety name only as a class of certified seed) the applicant may NOT reverse his affirmative decision after the variety has either been sold and so labeled, his decision published, or the certificate has been issued. However, if the applicant specified "NO," he may change his choice. (See section 180.16 of the Regulations and Rules of Practice.)
- 15a See section 42 of the Plant Variety Protection Act and section 180.7 of the Regulations and Rules of Practice.

March 18, 1980

EXHIBIT A: Origin and Breeding History of Caprice (XP-C99) Garden Pea.

The original cross, made in 1970, was (W715 x Nugget), a breeding line, x Alaska 130. Caprice has been developed by straight selection from that cross. In 1976 a small increase was made from a promising F₆ family. In 1978 following observation, yield trials and further increase, this line was designated XP-C99.

The basic stock seed of Caprice was produced in 1978 from approximately 200 progenies derived from single vine selections. These progenies were very uniform; any progenies suspected of being off-type were eliminated.

Observations indicate Caprice is uniform and stable.

8000112

EXHIBIT B: Novelty Statement Concerning Caprice (XP-C99) Garden Pea.

To our knowledge the commercial variety most similar to Caprice is Aldot. Comparative characteristics that make Caprice a distinct variety include, but are not necessarily restricted to the following:

1. Caprice is one day later to full flower than Aldot. The flowering period is more uniform than for Aldot which means the two varieties reach processing maturity at practically the same time.
2. The pods of Caprice are 1.5 - 2.0 cm. longer than those of Aldot and contain an average of about two more berries per pod.
3. Caprice is almost completely double-podded, whereas Aldot bears single and double-pods.
4. At processing maturity, Caprice is 10 cm. or more shorter in vine length than Aldot.

Other characteristics, including sieve size of fresh berries, dry seed size, starch composition of the seed and heat units accumulated to processing maturity, are very similar for Caprice and Aldot.



Asgrow Seed Company
subsidiary of The Upjohn Company

Kalamazoo, Michigan 49001

August 8, 1980

Mr. Thaddeus E. Frey
Examiner, Plant Variety Protection Office
U. S. Department of Agriculture
National Agricultural Library Bldg.
Beltsville, MD 20705

Dear Mr. Frey:

Reference is made to your letter of May 23, 1980 and my reply of June 18, 1980 concerning pea application 8000112 Caprice. Data from 1980 trials is now available and is as follows:

<u>Pod length</u>	
Mean for Caprice	7.1 cm.
Mean for Aldot	4.9 cm.
Standard error of the mean difference	0.059
Sample size	15 each

<u>Fertile nodes with Double Pods</u>	
Caprice	97%
Aldot	66%

Differences in plant height this year were affected by a disease believed to be a virus. Differences observed are believed to be not representative because of the disease.

One measure which is felt to be representative of the differences between the two varieties is the internode length below the first flower node. Data is as follows:

Mean for Caprice	6.67 cm.
Mean for Aldot	8.83 cm.
Standard error of the mean difference	0.30
Sample size	10

This later information can be substituted for plant height in Exhibit B if you choose.

Please contact me should you have additional questions.

Very truly yours,

John A. Batcha

John A. Batcha
mga

UNITED STATES DEPARTMENT OF AGRICULTURE
AGRICULTURAL MARKETING SERVICE
LIVESTOCK, POULTRY, GRAIN & SEED DIVISION
NATIONAL AGRICULTURAL LIBRARY
BELTSVILLE, MARYLAND 20705
OBJECTIVE DESCRIPTION OF VARIETY
PEA (*PISUM SATIVUM*)

NAME OF APPLICANT(S)

Asgrow Seed Company

VARIETY NAME OR TEMPORARY
DESIGNATION

Caprice

ADDRESS (Street and No. or R.F.D. No., City, State, and ZIP Code)

9620-190-1
Kalamazoo, MI 49001

FOR OFFICIAL USE ONLY

PVPO NUMBER

8000112

Place the appropriate number that describes the varietal character in the boxes below.

Place a zero in first box (e.g., or) when number is either 99 or less or 9 or less.

1. TYPE:

1 = GARDEN

2 = FIELD

3 = EDIBLE-PODDED

2. MATURITY:

Node number of first bloom:

No. of days to processing

Heat Units

No. of days Earlier than

1 = ALASKA WR

2 = THOMAS LAXTON WR

3 = LITTLE MARVEL

No. of days Later than

4 = WANDO

5 = ALDERMAN WR

6 = AUSTRIAN WINTER

3. PLANT HEIGHT:

CM. HIGH

Cm. Shorter than

1 = ALASKA WR

2 = THOMAS LAXTON WR

3 = LITTLE MARVEL

Cm. Taller than

4 = WANDO

5 = ALDERMAN WR

6 = AUSTRIAN WINTER

4. VINE:

Habit: 1 = DETERMINATE 2 = INDETERMINATE

Stockiness:

1 = SLIM (Alaska)

3 = HEAVY (Alderman)

2 = MEDIUM (Thomas Laxton WR)

Branching: 1 = NONE (Alaska) 2 = 1-2 BRANCHES (Little Marvel)

3 = MORE THAN 2 BRANCHES (Dwarf Gray Sugar)

Internodes: 1 = STRAIGHT 2 = ZIG ZAG

NUMBER OF NODES

5. LEAFLETS:

Color: 1 = LIGHT GREEN (Alaska WR) 2 = MED. GREEN (Thomas Laxton WR)

3 = DARK GREEN (Alderman)

4 = OTHER (Specify)

Wax: 1 = NONE 2 = LIGHT 3 = MEDIUM
4 = HEAVY

1 = NOT MARBLED

2 = MARBLED (Alaska)

Number of leaflet pairs: 1 = NOT PAIRED 2 = ONE 3 = TWO 4 = THREE OR MORE

6. STIPULES:

1 = LACKING 2 = PRESENT

1 = NOT CLASPING

2 = CLASPING

1 = NOT MARBLED 2 = MARBLED

Size (Compared with leaflets):

1 = SMALLER

2 = SAME

3 = LARGER

Color (Compared with leaflets): 1 = LIGHTER 2 = SAME 3 = DARKER

7. FLOWER COLOR:

VENATION

STANDARD

WING

KEEL

1 = WHITE

2 = GREENISH

3 = LAVENDER

4 = PURPLE

5 = RED

6 = OTHER (Specify)

8. PODS:

Shape: 1 = STRAIGHT 2 = SLIGHTLY CURVED 3 = CURVED End: 1 = POINTED (Alderman) 2 = BLUNT (Alaska)
 Color: 1 = LIGHT GREEN (Alaska WR) 2 = MEDIUM GREEN 3 = DARK GREEN (Alderman) 4 = OTHER (Specify) _____
 Surface: 1 = SMOOTH 2 = ROUGH Surface: 1 = SHINY 2 = DULL
 Borne: 1 = SINGLE 2 = DOUBLE 3 = SINGLE AND DOUBLE 4 = SINGLE, DOUBLE, & TRIPEE
5 = DOUBLE & TRIPLE 6 = TRIPLE 7 = OTHER (Specify) _____
 CM. LENGTH MM. WIDTH (Between sutures) NO. SEEDS PER POD

9. SEEDS (95-100 Tenderometer):

Color: 1 = LIGHT GREEN 2 = GREEN 3 = DARK GREEN 4 = OTHER (Specify) _____
Seive: %

1	2	7	2	3	6	3	3	3	4	0	4	5			6			7			8			AVERAGE
	2	7		3	6		3	3		0	4													2. 1 4

SEEDS (Dry, Mature):

Shape: 1 = FLATTENED 2 = ANGULAR 3 = OVAL 4 = ROUNDED
 Surface: 1 = SMOOTH 2 = DIMPLED 3 = WRINKLED Surface: 1 = SHINY 2 = DULL
 Color Pattern: 1 = MONOCOLOR 2 = MOTTLED 3 = STRIPED 4 = DOTTED
 Primary Color: 1 = CREAMY-WHITE 2 = CREAM & GREEN 3 = LIGHT GREEN 4 = MEDIUM GREEN
5 = DARK GREEN 6 = BLUE-GREEN 7 = YELLOW 8 = BROWN 9 = RED
 Secondary Color: 10 = GRAY 11 = BLACK
 Hilum Floor Color: 1 = WHITE 2 = TAN 3 = BLACK Cotyledon Color: 1 = GREEN 2 = YELLOW 3 = ORANGE
 GRAMS PER 100 SEEDS

10. DISEASE: (0 = Not Tested; 1 = Susceptible; 2 = Resistant)

FUSARIUM WILT NEAR-WILT DOWNY MILDEW
 ASCOCHYTA BLIGHT POWDERY MILDEW BACTERIAL BLIGHT
 MOSAIC PEA ENATION MOSAIC YELLOW BEAN MOSAIC
 OTHER (Specify) _____

11. INSECT: (0 = Not Tested; 1 = Susceptible; 2 = Resistant)

APHIDS OTHER (Specify) _____

12. INDICATE WHICH VARIETY MOST CLOSELY RESEMBLES THAT SUBMITTED

CHARACTER	NAME OF VARIETY	CHARACTER	NAME OF VARIETY
Leafiness	Alaska W.R.	Fresh Seed Color	Aldot
Leaf Color	Aldot	Mature Seed Color	Aldot
Pod Color	Aldot	Seed Shape	Aldot
Pod Shape	Ivy	Plant Habit	Alaska, W.R.

COMMENTS:

6 MAY 12 1980
3:30 PM